

## 1 SENATE BILL NO. 102

2 INTRODUCED BY W. MCNUTT

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

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5 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING TO 40 YEARS FROM 10 YEARS THE ALLOWABLE  
6 LENGTH OF TIME THAT THE DEPARTMENT OF TRANSPORTATION MAY LEASE AIRPORTS OR SIMILAR  
7 PROPERTY; AND AMENDING SECTION 67-2-302, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 67-2-302, MCA, is amended to read:12 **"67-2-302. State airports -- operation.** (1) The department may:

13 (a) lease, for a term not exceeding ~~10~~ 40 years, airports or other air navigation facilities or real property  
14 acquired or set apart for airport purposes to private parties, a municipal or state government or the national  
15 government, or a department of either ~~of them~~, for operation;

16 (b) lease or assign, for a term not exceeding 10 years, space, area, improvements, or equipment on  
17 those airports to private parties, a municipal or state government or the national government, or a department  
18 of either for operation or use consistent with the purposes of this title;

19 (c) sell any part of those airports, other air navigation facilities, or real property to a municipal or state  
20 government or to the United States or a department or instrumentality ~~thereof~~ of the United States for purposes  
21 incidental to or for aeronautical purposes ~~or purposes incidental thereto~~; and

22 (d) confer the privilege of concessions for supplying goods, commodities, things, services, and facilities  
23 upon the premises of those airports. However, in ~~so doing~~ conferring the concessions, the public may not be  
24 deprived of its rightful, equal, and uniform use ~~thereof~~ of the subject of the concessions.

25 (2) ~~†~~ The department may determine the charges or rental for the use of state airports, the charges for  
26 service or accommodations under its control, and the terms and conditions under which the ~~properties~~ property  
27 may be used. However, the public may not be deprived of its rightful, equal, and uniform use of the property.  
28 Charges ~~shall~~ must be reasonable and uniform for the same class of service and established with due regard  
29 to the property and improvements used and the expenses of operation to the state.

30 (3) The state has, and the department may enforce, agisters' liens as provided by law for repair,

1 improvement, storage, or care of any personal property.

2 (4) The department may employ persons or contract with persons or firms to provide law enforcement  
3 in and around state airports whenever required by federal aviation regulations."

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